

**Expert Report
of Dale Belman, Ph.D**

Exhibit II



Annual subcontractor prequalification completion and approval is a required to be included on bid release notifications.



<http://www.andersen-const.com/subcontractors>



A2-Questionnaire.pdf

<http://www.hoffmancorp.com/subcontractors/newSubs.aspx>



<http://www.howardswright.com/subcontractors/>



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<http://www.turnerconstruction.com/sub-contractors>



Guide_to_Turner_Sub
Prequal.pdf



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Intel Corporate Services Construction
Environmental, Health, and Safety (EHS)
Minimum Performance Requirements
For:
Construction Management Companies, General Contractors and
Contractors (All Tiers)

Revision 7
July, 2013



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1. Objectives:

- 1.1. To ensure all Construction Management/General Contractors (CM/GC) and contractors construct Intel projects in a manner that results in Injury Free, Incident Free and no adverse environmental impacts (collectively "Injury Free" and no impacts to production in an operating factory/facility).
- 1.2. To clearly state CM/GC and contractor's obligation to develop an EHS Plan (as outlined in contract documentation) and ensure its elements are implemented completely on the job site for the scope awarded to the contractor.
- 1.3. To ensure all Intel construction projects utilize consistent EHS standards and established Best Known Methods (BKM) from past Intel CS projects.

2.0 Scope:

2.1 Content

- 2.1.1. These CS Construction EHS Performance Requirements may be amended and/or supplemented by Site- or Project-Specific provisions. Site- or Project-Specific provisions shall be considered an Addendum to these EHS Performance Requirements.
- 2.1.2. The following documents are incorporated by reference into these CS Construction EHS Performance Requirements. Copies are available from <https://supplier.intel.com/static/EHS/> or Intel EHS:
 - A. CS EHS Construction Manual
 - B. Site Incident Prevention Plan (SIPP) Program
 - C. Safe Behavior Observation / Safety Observation Program (SBO/SOP)
- 2.1.3. These Construction EHS Minimum Performance Requirements together with the other documents outlined in the underlying Contract documentation set forth the minimum contents of CM/GC and Contractor's EHS Plan; however, they do not comprehend all EHS requirements applicable to the Work. Contractor must also comprehend all applicable international, national, state, province, county, municipal, or local laws or regulations as well as industry practices applicable to the Work in its EHS Plan.
- 2.1.4. Any waiver of or amendment to the requirements in these documents must be ratified in writing by Intel EHS and legal if necessary.



2.2 Applicability

- 2.2.1. These requirements apply to all CM/GC and tiers of Contractors, Subcontractors, Sub-subcontractors, and Suppliers who provide services or materials for construction to Intel projects worldwide.

2.3 Process

- 2.3.1. CM/GC and Contractor shall submit their corporate EHS plan with their proposal.
- 2.3.2. CM/GC and Contractor shall submit a project specific EHS Plan to address each of the EHS components identified in this document for the known scope with initial proposal. CM/GC and Contractor shall submit its final project specific EHS Plan to Intel within 21 calendar days of contract award but prior to any GC/CM pre-bid activities or Request for Proposal being issued for this scope. This is to include equipment purchasing that requires vendor support. Intel shall have 10 days to review and comment on the EHS Plan. The plan is deemed accepted after 10 days if no comments are provided or requests for extending the review period have been made. Contractor shall revise its EHS Plan based on Intel's comments prior to contract being signed. Once ratified by Intel, Contractor shall enforce the ratified EHS Plan and shall not change any of its provisions without advance notice and agreement with Intel.
- 2.3.3. Prior to the commencement of work, Intel, CM/GC, and contractor(s) will coordinate and conduct a "Project Readiness Review" to ensure that all EHS programs and elements are in place prior to work starting. Deficiencies must be rectified (or an acceptable plan put in place) prior to commencing work.

3.0 Required Components of Environmental, Health, and Safety Plan

3.1 EHS Staffing. The EHS Plan must address staffing of the EHS function, which shall include, at a minimum, the following:

- 3.1.1. CM/GC: One onsite EHS Manager and one field professional for up to 300 trade headcount. In addition, one EHS field professional for every additional 300 trade headcount. The EHS manager must hold a safety engineering or equivalent qualification and have a minimum of 5 years' experience in construction safety and 3 years of management experience.
- 3.1.2. Contractor: When contractor's trade headcount reaches 20, engage one on-site, full time professional EHS Manager. This person may not hold other duties. The EHS manager must hold a safety engineering or equivalent qualification and have a minimum of 5 years' experience in construction safety and 3 years of management experience. Trade headcount below 20 may utilize a worker as the safety representative.



3.2 Employee Site Access and Orientation. The EHS Plan must address the following elements:

- 3.2.1. All projects must provide New Contractor Orientation (NCO) safety training. The NCO contents shall be mutually agreed to between Intel and CM/GC. NCO shall provide information regarding all applicable laws and regulatory requirements. Intel will provide any facility specific information that is required.
- 3.2.2. All contractors shall ensure personnel attend the defined project NCO and prohibit project access to the work prior to completion of the NCO. Contractor employees not assigned to an Intel Project within the last six (6) months must attend repeat NCO.
- 3.2.3. Intel and the CM/GC shall agree on a badge/worker identification process to ensure positive worker identification on Greenfield projects. For projects on existing sites, the Intel Security badge process will be used.

3.3 Injury/Incident Free Construction Culture. The CM/GC and Contractor's EHS Plan must identify the strategy to perform the work injury free and without incidents; the plan must contain the following components or equivalent;

- 3.3.1. Training as it relates to the establishment of a culture without injuries and incidents as the core content. The plan must identify what level of personnel attendance, i.e., management through craft.
- 3.3.2. Creation of a contractor sponsored and run senior management level meeting (ie. Safety Leadership Team) which establishes strategic planning for the project that will maintain the established culture. This team shall meet at least monthly for the duration of the project.
- 3.3.3. Creation of feedback forums that provide a measurable format for worker feedback to management from the workforce. The plan must include provisions for corrective actions to be taken resulting from feedback
- 3.3.4. Arrange and participate in periodic craft appreciation activities which promote and advance the culture. The plan must contain type and frequency of activities based upon job scope and duration and is agreed with Intel at the start of the project.

3.4 EHS Training. The EHS Plan must identify fatality prevention training needs and other EHS training requirements and state how training will be delivered. Minimum requirements include:

- 3.4.1. Documentation of all hazard specific EHS training requirements by job classification before work commences.



- 3.4.2. Provision of all National, State/Province, local and/or site required EHS training prior to an employee performing that type of work on site.
- 3.4.3. Provision of training materials and records to be reviewed by Intel, upon request.
- 3.4.4. A visual indicator displayed by the workforce of specific training received (i.e. badge stickers).

3.5 Safety Meetings/Forums. In addition to safety meetings that are part of the CM/GC and contractor's injury/incident free plan required in section 3.3, the EHS Plan must identify safety meetings and forums personnel are required to attend to include at a minimum:

- 3.5.1. Weekly foreman and superintendent safety meetings to share safety information like lessons learned from incidents, safety indicators, job-site changes, etc.
- 3.5.2. Once a week safety meetings at the work site conducted by the foreman or designee (also known as "tool box meetings"). Attendance is mandatory for all persons performing work on the project.

3.6 Buddy Program Component. The EHS Plan must describe how the contractor will implement a "Buddy Program" that at a minimum:

- 3.6.1. Familiarizes field personnel with fieldwork procedures and safety requirements.
- 3.6.2. Assigns a buddy to craft employees new to an Intel Project (those employees conducting fieldwork) during the first two weeks of employment.

3.7 Contractor Pre-Qualification. As part of the EHS Plan, the CM/GC and Contractor's Procurement Plan must comprehend the following when considering potential subcontractors, sub-subcontractor and suppliers and identify the process by which these requirements will be executed:

- 3.7.1. Ensuring each proposed subcontractor and sub-subcontractor (all tiers) has above average EHS performance statistics. Specifically:
 - A. EMR ratings of 1.0 or lower for last three years (unless exempted in Site Addendum)
 - B. Lagging Indicators:
 - 1. Recordable Rate \leq 4.0
 - 2. Days Away Case Rate \leq 0.8



3. Zero (0) Fatalities in last 12 months

3.7.2. Contractors, subcontractors, sub-subcontractors, and all lower tiers bidding and performing work on Intel construction projects are required to enroll in the Contractor Safety Assessment Program (CSAP) administered by Construct Secure Inc. To enroll in CSAP log onto the application at: <http://www.constructseer.com/intel>. Create an account and enter the required safety information.

3.7.2.1. Contractors that DO NOT perform construction work/labor activities in the field, but are more of basic office dwellers or off-field support, DO NOT need to enroll in CSAP but will still need to meet 3.7.1 above.

1. *Considered labor work if any of the 5 OSHA fatality programs apply to construction work/labor activities in the field (fall protection, confined space, energized electrical, LOTO, Mobile Elevated Work Platforms)*

3.7.2.2 Contractors bidding on scope of <\$100k DO NOT need to enroll in CSAP prior to bid but will still need to meet 3.7.1 above.

2. *NOTE: When a contractor has been awarded the scope they must enroll in CSAP if they perform construction work/labor activities in the field regardless of cost of scope.*

3.7.2.3 If the contract/award is so small that badging and training is not required and the contractor will be accompanied/escorted at all times, and then has the choice to not have the contractor put through CSAP, but they must escort/oversee all work and own all aspects of safety performance.

3.7.3. Company can demonstrate their EHS policy with visible commitment to zero injuries, incidents, and illnesses by actively participating in the EHS program. The EHS plan shall include a description of how the contractor's management will communicate their EHS commitment and their expected level of involvement in the EHS process.

3.7.4. Ensuring that any exceptions to the lagging indicators in 3.7.1.B require the subcontractors or sub-subcontractors to prepare a written Corrective Action Plan (CAP), which must be accepted by the CM/GC and/or Intel.

3.7.5. Ensuring that corrective action plans are comprehended as part of the subject contractors bid proposals such that the additional requirements are included in the bids.

3.7.6. Ensuring that any contractor or subcontractor or sub-subcontractor who fails to maintain an acceptable EHS performance record on the Project is required to develop and execute a CAP demonstrating how it will improve its record.



- 3.7.7. Identifying the method by which these requirements will be tracked and how they will be communicated to Intel on a regular basis in compliance with the reporting.

3.8 Pre-Bid and Pre-Construction Meetings. The CM/GC's Procurement Plan must comprehend the following when engaging in the competitive bid and contract award process. This section also applies to contractors bring on lower tier subcontractors.

- 3.8.1. At pre-bid conferences, CM/GC shall present an overview of the client (Intel) based EHS contract requirements and expectations.
- 3.8.2. At pre-construction conferences, CM/GC shall review project-specific EHS requirements and work scope challenges. Contractor bids shall include any site specific requirements presented in the pre-bid conference.

3.9 Design/Constructability. The EHS Plan must provide a process for the evaluation of safe construction in design.

- 3.9.1. The EHS Plan must explain the process of evaluating the design and determining how the design will affect constructability.
- 3.9.2. CM/GC and Contractor shall identify constructability and maintainability design issues that could increase the potential for injury due to construction sequencing and/or design.

3.10 Disciplinary Action. The EHS Plan must contain a disciplinary action process which will ensure workers' compliance with the EHS Plan. Minimum requirements include:

- 3.10.1. A progressive disciplinary action plan which contains the appropriate corrective actions for workers who violate EHS requirements.
- 3.10.2. A comprehensive list of "zero tolerance" acts or omissions that constitute grounds for immediate removal. The process must also contain appropriate guidelines that address durations for personnel banned from site for these violations.
- 3.10.3. The communication process that ensures all personnel understands the expectations of the plan.
- 3.10.4. At a minimum, zero tolerance items shall include any violations of fatality prevention programs such as Fall Protection, Control of Hazardous Energies (lockout/tagout), Energized Electrical Work (EEW), Confined Space Entry, Trenching/Excavation, Cranes/Rigging/Hoisting, Fire Prevention/Protection, and Special Equipment.



3.10.5. Failure to report incidents shall be included as a zero tolerance item. The item shall contain two components.

- A. Initial component shall address individual worker's failure to report and be executed according to the plan required in section 3.10.2 above.
- B. Second component shall address failure to report an incident by the company management with management defined as foreman through upper management. Discovery of an unreported incident shall be addressed through the Contractor Corrective Action Request (CCAR) process which contains the steps to improve contractor safety performance.

3.11 Task Planning. The EHS Plan must describe how CM/GC and Contractor will implement a Job Hazard Analysis/Method Statement program and Pre-Task Planning that comprehends the risks associated with the work of all tiers of contractors and at a minimum, the following:

3.11.1. Job Hazard Analysis (JHA) / Method Statement (MS) - Conduct JHA's/MS for all construction activities that are identified as high/med risk by the GC/CM prior to the commencement of work. Intel retains the right to require hazard specific JHA/MSs based upon the scope of work.

3.11.2. At a minimum, JHA/MS shall consist of the following:

- A. JHAs/MS must be reviewed and approved by the GC/CM. This includes all subcontractors and sub-subcontractors.
- B. JHA/MS must be conducted and reviewed before work commences.
- C. JHA/MS must be written and reviewed by the crews conducting Pre-Task Plans.
- D. The JHA/MS must detail any actions to reduce or eliminate risks.
- E. Completed JHA/MS must be documented and made available to Intel upon request.

3.11.3. Pre-Task Planning (PTP) / Safe Plan of Action (SPA) – The EHS plan must detail the process the contractor will use to manage pre-task planning/safe plan of action, including training, auditing, document retention and ongoing quality control. The pre task planning/safe plan of action process shall comply with the following minimum requirements:

- A. Conducted by the foreman or craft lead designated by the foreman, provided however, that the foreman reviews all pre-task plans/safe plan of action to ensure that they are appropriate, complete, and accurate for the subject task(s).



- B. Documented in writing.
- C. Conducted for every job at least weekly. Pre-Task Plans/safe plan of action must be reviewed and revised whenever work conditions, new hazards arise or crew membership experience change.
- D. All crew members must participate at the job location in pre-task planning/safe plan of action and shall sign the completed plan.
- E. Include hazards and precautions identified in applicable Job Hazard Analysis/method statement (JHA/MS).
- F. Readily available at the work site (posted and/or placed where crew members have knowledge of its location at the work area).
- G. The GC/CM and contractor shall make the PTP/SPA for available in a local language that the workforce can understand.
- H. The GC/CM and contractor shall present the PTP/SPA form they will use on the project for Intel EHS approval prior to work beginning.

3.12 Work Coordination / Site Incident Prevention Program For Projects where Intel has a Site Incident Prevention Program ("SIPP") in place, the EHS Plan must describe the resources and methods to be used in implementation of the Intel SIPP program. NOTE: Some Intel sites are moving to an alternate work coordination program in lieu of SIPP program. In these sites the CM/GC and contractors will use the alternate program. For Greenfield sites where an Intel SIPP does not exist, the GC/CM safety plan shall outline a permit to work program to ensure there is trade/work coordination to prevent incidents/injuries from occurring.

3.13 Recognition. The EHS Plan must explain how contractor will recognize workers for safe behavior. The recognition plan shall tie into the incentive plan if applicable in the contract. At a minimum, the recognition plan must:

- 3.13.1. Define the different recognition classifications (individual, company, project, etc.); Frequency of recognitions by type; Recognitions tied to project milestones; Provisions for special recognitions from management IIF team

3.14 EHS Information Management. The CM/GC or contractor shall keep and maintain for each subcontractor and sub-subcontractor leading and lagging indicators packages. The EHS Plan shall describe how the contractor will input EHS data into the Intel-designated information system (Contractor Safety WEB Application <https://supplier.intel.com/fctweb/>). The data will be managed and maintained in compliance with the following requirements:

- 3.14.1. Injury and Incident Information:



- A. Injury/Incident preliminary information must be entered within 24 hours of the injury/incident

- 1. This includes near misses and all injuries regardless of severity

- B. Injury/Incident full details (including root cause and corrective action) must be entered within 5 working days of the injury/incident. Intel's Project Manager may extend this time period if necessary.

- C. All injuries will be classified in accordance with the United States Department of Labor Occupational Health and Safety Administration (OSHA) 29 Code of Federal Regulations 1910.104 Recordkeeping requirements.

3.14.2. CM/GC Contractor, Subcontractor, Sub-subcontractor Headcount and Person Hour Reporting:

- A. Contractor's headcount and hours (including headcount and hours for all Subcontractors, sub-subcontractors, and Suppliers of every tier who perform Work on the Site) shall be reported each week (on a date established by the Project Team).

3.14.3. Leading Indicators. The CM/GC and/or contractor shall implement a leading indicator program that measures the following at a minimum:

- A. Safe behavior observation program for each sub-contractor
- B. Pre-Task Plan quality
- C. Safety training records
- D. Equipment inspection records (ie. fall protection, electrical inspections)
- E. Field Audits / Inspection findings logs and follow up records.
- F. Environmental Audit results

3.15 Audits and Inspections. The EHS Plan must include, at a minimum, the following core audit and inspection activities:

- 3.15.1. Compliance Audits. At a minimum, quarterly compliance audits must be performed to ensure compliance with the EHS Plan and applicable regulations. Note: regulations may require more frequent audits. It is the responsibility of the CM/GC and contractors to require subcontractors to conduct similar audits, as appropriate.



3.15.2. Audits by Management. The EHS Plan must address a plan to get management engaged in weekly worksite EHS evaluations (for example, Safety Management by Walking around (SMBWA)). The process must be well defined and address training and tracking elements. Results shall be reviewed in safety leadership team or equivalent meeting on a weekly basis.

3.15.3. Records of audit reports, findings, and corrective actions must be submitted weekly to Intel and retained through Project close-out.

3.16 Incident Reporting & Investigation. The EHS Plan must describe how contractor will investigate and report safety incidents, including the following minimum requirements:

3.16.1. Reporting:

- A. Report all incidents to Intel point of contact in accordance with time line below.
 - 1. Near miss - 24 hours
 - 2. First aid injuries - 24 hours
 - 3. Injury requiring medical treatment beyond first aid - one hour from occurrence
 - 4. Injury which might results in days away from work - one hour from occurrence
 - 5. Environmental releases - one hour of their occurrence
 - 6. Fatality - Upon occurrence
- B. Contractor shall submit to Intel a weekly incident summary in addition to investigation requirements noted in this document. Intel may use these records (minus personal information) to develop incident communications for distribution within other Intel projects.
- C. Maintain incident records throughout the duration of the Project, transfer these records to Intel EHS at Project Closeout Completion (refer to contract documentation)

3.16.2. Investigating:

- A. Identification of all incident causal factors (root and contributing causes) using pre-approved investigative means
- B. Identification and documentation of all corrective actions



- C. Documentation of closure of all identified corrective actions
- D. Investigation and review of incident shall be completed within 48 hours of incident occurrence. Intel EHS must receive the incident review report for each incident
- E. For recordable injuries and above, Intel representative shall be present in the investigation. Intel may choose to also participate in near miss investigations.

3.17 Quality of Life/Work Place Health Requirements. The Site Logistics Plan or EHS Plan shall address CM/GC and Contractor's provision and management of health facilities including, at a minimum, the following:

- 3.17.1. Provision for adequate rest rooms and hand wash facilities in close proximity to the work space
- 3.17.2. Provision for adequate potable drinking water accessible during work activities
- 3.17.3. Provision for adequate lunch and break quarters that provide shelter from the heat/cold, and are sufficiently isolated from construction areas so that Personal Protection Equipment (PPE) need not be worn during lunch and other breaks, and adequate seating is available so as not to require personnel to stand during breaks or meal times

3.18 Medical Coverage and Case Management. The EHS Plan must describe medical services and include a "Case Management and Return-To-Work Program" that is designed to return personnel safely and efficiently back to their positions following an occupational and/or non-occupational injury or illness. The medical and case management program shall include:

- 3.18.1. On-site medical support for the Project's established work hours including nights and weekends
- 3.18.2. Coverage for accompaniment of personnel to clinic/doctor (both on and off-site)
- 3.18.3. Medical provisions for physician/clinic for immediate evaluation, treatment and follow-on visit(s)
- 3.18.4. Management of restricted work activities in coordination with the investigation and follow up to address potential, but unsubstantiated claims and injuries

3.19 Hazardous Materials. The EHS Plan must describe CM/GC and Contractor's handling of Hazardous Materials and shall include the following at a minimum:



- 3.19.1. Development of a list identifying all Hazardous Materials to be used on the project and have Material Safety Data Sheets on site and immediately available.
- 3.19.2. CM/GC and Contractor shall develop a program to ensure that all chemicals/hazardous materials are reviewed, tracked and managed on the site. This shall include screening to ensure none of the following are brought onto the site:
 - A. Asbestos or asbestos containing construction materials, including, but not limited to, asbestos containing insulation, ceiling tiles, floor tiles, cement, adhesives and fire prevention materials
 - B. Polychlorinated biphenyls (PCBs), including, but not limited to PCB containing transformers, light ballast's, heat transfer fluids
 - C. Class I or Class II ozone depleting substances as defined by 40 CFR § 82, Appendix A and appendix B to Subpart A
 - D. Glass fiber reinforced plastic (FRP) that contains antimony trioxide
 - E. Carcinogens as identified by:
 1. United States, National Toxicology Program (NTP), "Annual Report on Carcinogens" (latest edition)
 2. International Agency for Research on Cancer (IARC) Monographs (latest edition), or Title 29, Code of Federal Regulation, Part 1910, Subpart Z, Toxic and Hazardous Substances, U.S. Occupational Safety and Health Administration
 - F. Ethylene based glycol ethers
 - G. Arsine
- 3.19.3. Any hazardous materials that need to be used in the construction process not meeting the requirements in 3.19.2 must be approved for use by Intel EHS.
- 3.19.4. Specification of the storing arrangements of the chemicals. Note: Contractor shall store not more than one week's worth of chemicals that will be used on the project
- 3.19.5. Specification of the transporting arrangements of chemicals on the project
- 3.19.6. Intel EHS must be notified in writing of all hazardous materials brought on-site that have a Hazardous Materials Information System (HMIS) rating greater than 2 or in excess of 55 gallons (208 liters)



- A. Written documentation to Intel must include the MSDS; plan for storage, handling, and use; application method; disposal plan

3.19.7. Development of a procedure for obtaining approval from Intel prior to conducting any activity that may generate Hazardous Materials or Hazardous Waste.

3.20 Solid Waste and Hazardous Waste. The EHS Plan or Site Logistics Plan shall address how solid waste and Hazardous Waste will be managed; minimum contents include:

3.20.1. Solid Waste.

- A. Describe how Contractor will recycle a minimum of 90% of construction-generated debris, measured by weight, to meet the USGBC LEED (Leadership in Energy and Environmental Design) for New Construction Materials and Resources criteria under Credit 2.2 for diversion of construction waste from landfill. See the Solid Waste Management Plan in the Intel Construction EHS Manual for a generic solid waste management plan that should be utilized to assist in meeting solid waste recycle goals.
- B. Recyclable solid waste includes any non-hazardous solid wastes. This can include, but is not limited to, wood, cardboard, metal (aluminum, copper, stainless steel, etc.), plastic (including hard plastics and films), glass, paper, Styrofoam, concrete, asphalt, drywall, etc.
- C. Acknowledge that Contractor shall not permit removal of waste(s) from the Site for personal or other use.
- D. Solid waste removal must be done on an on-going basis to ensure no accumulation on the project.
- E. The weight of all solid waste that leaves the site (both recycled and landfilled) must be reported back to Intel EHS.

3.20.2. Hazardous Waste:

- A. Describe method to properly collect, identify, and label Hazardous Wastes
- B. Work with Intel EHS to develop hazardous waste determinations for chemical waste to be generated.
- C. Identify the disposal plan, including removal of Hazardous Materials brought on-site by Contractor. All hazardous waste generated at Intel must be managed by Intel-authorized suppliers or directly by Intel at the direction of Intel EHS.



3.21 Demolition/Decontamination. The EHS Plan must ensure that decontamination, demolition, tool conversion work plans are reviewed by Intel EHS prior to commencement of work.

- 3.21.1. Prior to any demolition work, the contractor, subcontractor, or sub-subcontractor shall contact Intel EHS to review the scope of the demolition work and agree on any precautions/actions that need to be taken because of existing conditions (lead, asbestos, or other contaminants) in the building/area.
- 3.21.2. The CM/GC and contractor is responsible for ensuring applicable elements of applicable city, state and local codes are complied with.
- 3.21.3. All demolition/de-install/decontamination activities shall comply with the current Intel decontamination, decommission, and demo "6D" Standard Operating procedures including line breaking procedures. Variances from this procedure must be presented to and accepted by Intel EHS.

3.22 Emergency Response Plan. The EHS Plan must describe the project specific Emergency Response Plan, minimum contents are as follows:

- 3.22.1. Names and contact numbers of CM/GC and contractor management responsible to make decisions during an emergency.
- 3.22.2. Defined roles and responsibilities for each person on the construction management staff who have defined roles during an emergency.
- 3.22.3. Defined communication systems used to ensure efficient communication with affected project personnel, responders and Intel as appropriate.
- 3.22.4. Escalation path for reporting spills that meet or exceed a federal or state reportable quantity (RQ) to an authorized Intel construction representative upon discovery.
- 3.22.5. The emergency response plan shall address how the construction management team will interact with Intel's Emergency Response Team (ERT) if present and/or during an event Intel ERT responds and takes control.
 - A. Note: Any Intel ERT equipment used during a construction caused event must be replaced at the expense of the contractor who caused the event.
- 3.22.6. The contractor must organize a drill within 45 days of starting work to ensure the emergency response plan is adequate. Subsequent drills shall be performed at least every 60 days for the duration of the project or when Intel ERT assumes responsibility to respond to emergency events as part of the commissioning and turn over of the project.



3.23 Environmental Protection Programs.

3.23.1. Green Field or Projects NOT on an established Intel campus:

- A. The EHS Plan shall address compliance with all applicable laws and are required to implement the following Environmental and Pollution prevention programs:
 - 1. Solid Waste Management Plan
 - 2. Erosion and Sedimentation Control Plan conforming to the provision of the NPDES requirements of the 2003 EPA Construction general permit
 - 3. Hazardous Waste Management Plan
 - 4. Air Pollution Control Plan
 - 5. Hazardous Material Control Plan
 - 6. Waste Water Management Plan

NOTE: Samples of these plans are available from Intel upon request.

3.23.2. Projects ON an established Intel campus:

- A. The EHS Plan shall acknowledge the applicable environmental performance requirements for the Intel campus the work is being performed and describe methods of compliance with them.

3.24 Musculoskeletal Disorder (MSD) and Cumulative Trauma Disorder (CTD) Injury Prevention Programs.

3.24.1. MSD's and CTD's Injury Prevention Program Requirements:

- A. In an effort to prevent MSD and CTD related injuries, all contractors shall have a process in place that, includes:
 - 1. Risk Factor Assessment and Mitigation: An MSD/CTD risk factor assessment and mitigation plan shall be completed for all job tasks, tools used, work procedures, work stations, and equipment operation where exposure may exist. Since the number one cause of MSD/CTD injuries are related to manual material handling, special emphasis shall be placed on the reduction of manual handling of material, equipment, and tools. The MSD/CTD risk assessment shall be incorporated into the JHA that is specific for that scope of work. Personnel must be trained the assessment created for their specific tasks.



3.25 Overtime Policy. Contractor shall ensure that no craft or field management exceed the following requirements:

- 3.25.1 No craft employee shall work more than 12 hour in one day.
- 3.25.2 No craft employee shall work more than 60 hours in one week.
- 3.25.3 No craft employee shall work more than 6 (10-hour) days in one week.
- 3.25.4 No craft employee shall work more than two consecutive 60-hour weeks.
- 3.25.5 Project workweeks must have defined starting days and ending days.
- 3.25.6 No craft employee shall work more than 50 hours in the week subsequent to two consecutive 60-hour workweeks.
- 3.25.7 Deviations to this plan must be approved in writing by the Intel Project Manager.

Received, reviewed and acknowledged by:

_____	_____
<i>(Name)</i>	<i>(Date)</i>

<i>(Title)</i>	

<i>(Company Name)</i>	